

**ARTICLE III**  
**ZONING DISTRICT REGULATIONS**

**SECTION 28 – 301 A-1 - AGRICULTURAL DISTRICT**

**28 – 301.1 PURPOSE**

The A-1 Agricultural District is intended for properties for which Town sewer service has not yet been extended. Upon the provision of such service, the Town Council may establish the appropriate zoning for these properties. Regulations and standards stated herein allow low density residential development as well as a full range of agricultural and related activities. Any parcel of land that, for whatever reason, has no zoning classification shall be zoned A-1.

**28 – 301.2 DEVELOPMENT STANDARDS**

The following minimum development standards shall be observed in the A-1 District:

A. Lot Standards

1. Minimum lot sizes – All lots hereafter established shall not be less than one (1) acre.
2. Lot frontage – Each lot hereafter established shall have a minimum frontage on a public street or way of thirty (30) feet.

B. No more than one principal use shall be permitted on an individual lot.

C. Off-street parking shall be provided for all uses in accordance with the standards of Section 28 – 1001

D. Minimum setbacks – Each main structure, all accessory structures and any use, shall be set back a minimum of fifty (50) feet from any public or private access-way and/or navigable waters; and eight (8) feet from all other lot lines, except that boat-houses, docks, and wharves may be erected on a shoreline, eight (8) feet from any other boundary line and fences may be located on the rear and side lot lines but no closer to the front lot line than the minimum front setback.

E. Height limitations – thirty-five (35) feet.

F. Lot coverage – Within the Building Envelope 100% coverage shall be permitted. Outside of the Building Envelope, all buildings and structures shall not exceed ten (10%) percent of the balance of the lot area.

1  
2 **SECTION 28 – 302 R-7A - RESIDENTIAL DISTRICT**  
3

4 **28 – 302.1 PURPOSE**  
5

6 It is the purpose of this district to encourage the residential development and redevelopment  
7 of certain established areas of the Town of Easton. The district will provide land areas for  
8 high and medium density residential development with a variety of housing types including  
9 multi-family dwellings in a manner that respects the existing character of the older,  
10 developed parts of the district.  
11

12 **28 – 302.2 DEVELOPMENT STANDARDS**  
13

14 The following minimum development standards shall be observed in the R-7A District:  
15

16 A. The minimum lot size for all uses hereafter established shall be 7,500 square  
17 feet, except as modified below:  
18

19 1. Minimum lot sizes – Up to 50% of the lots within an R-7A subdivision  
20 may be less than the required minimum lot size. Of these smaller lots,  
21 75% must have a minimum lot size of at least 5,000 square feet.  
22

23 2. Lot frontage – Each lot hereinafter established shall have a minimum  
24 frontage on a public street or way of thirty (30) feet. However, houses  
25 served by rear alleys may front directly onto parks or public open space,  
26 which shall have perimeter sidewalks.  
27

28 B. No more than one principal use shall be permitted on an individual lot  
29

30 C. Off-street parking shall be provided for all uses in accordance with the  
31 standards of Section 28 – 1001.  
32

33 D. Minimum setbacks for all uses and structures shall be:  
34

35 1. Front setback – fifteen (15) feet.  
36

37 2. Rear setback – twenty-five (25) feet  
38

39 3. Side setback – two side setbacks – eight (8) feet  
40

41 E. Height limitations – thirty-five (35) feet.  
42

43 F. Building Envelope – All lots shall have a minimum building envelope of sixty

(60) feet deep by thirty (30) feet wide.

G. Lot coverage – Within the building envelope 100% of the land area may be covered with buildings or structures. Outside of the building envelope permitted accessory structures may be constructed in accordance with the supplemental standards pertaining to said use. In total, such accessory structures may not occupy more than fifty (50%) percent of the rear yard area. This provision shall not be construed to permit any accessory structures to be located in the established front yard.

H. For single family dwellings the maximum density permitted in the R-7A district shall be 3.5 dwelling units per acre. A density increase is permitted where the subdivision proposal provides on-site or off-site housing opportunities for low- or moderate-income households, as defined by the Town of Easton Affordable Housing Board. When off-site housing provision is proposed, the Commission shall require evidence that these units will in fact be constructed by a certain date. For each affordable unit provided under this subsection, one additional building lot or dwelling unit shall be permitted, up to a maximum 15% increase in dwelling units. For multi-family dwellings the maximum density shall be eight (8) dwelling units per acre. The maximum permitted density for two-family dwellings shall be two (2) du/lot provided said lot is expanded in accordance with Section 28 – 1007.1. A. (9).

## **SECTION 28 – 303 R-10A - RESIDENTIAL DISTRICT**

### **28 – 303.1 PURPOSE**

It is the purpose of this district to provide for the continued development of existing and new residential areas within the Town of Easton. The district will provide land areas suitable for medium density residential use with a variety of housing types.

### **28 – 303.2 DEVELOPMENT STANDARDS**

The following minimum development standards shall be observed in the R-10A District:

A. The minimum lot size for all uses shall be 10,000 square feet except as modified below.

1. Minimum lot sizes – Up to 50% of the lots within an R-10A subdivision may be less than the required minimum lot size. Of these smaller lots, 75% must have a minimum lot size of at least 7,000 square feet.

2. Lot frontage – Each lot hereinafter established shall have a minimum frontage on a public street or way of thirty-five (35) feet. However, houses served by rear alleys may front directly onto parks or public open space, which shall have perimeter sidewalks

B. No more than one principal use shall be permitted on an individual lot.

C. Off-Street Parking shall be provided for all uses in accordance with the standards of Section 28 – 1001.

D. Minimum setbacks for all uses and structures:

1. Front setback – fifteen (15) feet.

2. Rear setback – thirty (30) feet.

3. Side setback – two side setbacks are required of eight (8) feet each

E. Height Limitations – thirty-five (35) feet.

F. Building Envelope – All lots shall have a minimum building envelope of fifty-five (55) feet deep by thirty (30) feet wide

G. Lot coverage – Within the building envelope 100% of the land area may be covered with buildings or structures. Outside of the building envelope permitted accessory structures may be constructed in accordance with the supplemental standards pertaining to said use. In total, such accessory structures may not occupy more than fifty (50%) percent of the rear yard area. This provision shall not be construed to permit any accessory structures to be located in the established front yard

H. For single family dwellings the maximum density permitted in the R-10A district shall be 3.5 dwelling units per acre. A density increase is permitted where the subdivision proposal provides on-site or off-site housing opportunities for low- or moderate-income households, as defined by the Town of Easton Affordable Housing Board. When off-site housing provision is proposed, the Commission shall require evidence that these units will in fact be constructed by a certain date. For each affordable unit provided under this subsection, one additional building lot or dwelling unit shall be permitted, up to a maximum 15% increase in dwelling units. For multi-family dwellings the maximum density shall be five (5) dwelling units per acre. The maximum permitted density for two-family dwellings shall be two (2) du/lot provided said lot is expanded in accordance with Section

**SECTION 28 – 304 R-10M - RESIDENTIAL DISTRICT**

**28 – 304.1 PURPOSE**

It is the intent of this district to provide for the continued development of existing and new residential areas. The district will provide land area suitable for medium density residential use with a variety of housing types including mobile homes (as a special exception).

**28 – 304.2 DEVELOPMENT STANDARDS**

The following minimum development standards shall be observed in the R-10M District:

- A. The minimum lot size for all uses shall be 10,000 square feet.
  - 1. Minimum lot sizes – All lots hereafter established shall be not less than 10,000 square feet in area.
  - 2. Lot frontage – Each lot hereinafter established shall have a minimum frontage on a public street or way of thirty-five (35) feet.
- B. No more than one principal use shall be permitted on an individual lot.
- C. Off-street parking shall be provided for all uses in accordance with the standards of Section 28 – 1001.
- D. Minimum setbacks for all uses and structures:
  - 1. Front setback – fifteen (15) feet.
  - 2. Rear setback – thirty (30) feet yard
  - 3. Side setbacks – two side setbacks are required of eight (8) feet each
- E. Height Limitations – thirty-five (35) feet.
- F. Building Envelope – All lots shall have a minimum building envelope of fifty-five (55) feet deep by fifty-four (54) feet wide.
- G. Lot coverage – Within the building envelope 100% of the land area may be covered with buildings or structures. Outside of the building envelope permitted accessory structures may be constructed in accordance with the

supplemental standards pertaining to said use. In total, such accessory structures may not occupy more than fifty (50%) percent of the rear yard area. This provision shall not be construed to permit any accessory structures to be located in the established front yard.

- H. For single family dwellings the maximum density permitted in the R-10M district shall be one (1) dwelling unit per lot. For multi-family dwellings the maximum density shall be five (5) dwelling units per acre. For mobile home subdivisions or parks the maximum permitted density shall be six (6) units per acre. The maximum permitted density for two-family dwellings shall be two (2) du/lot provided said lot is expanded in accordance with Section 28 – 1007.1.A.(9).

## **SECTION 28 – 305 CB - CENTRAL BUSINESS COMMERCIAL DISTRICT**

### **28 – 305.1 PURPOSE**

The purpose of this district is to provide appropriate locations for select commercial activities within the Town of Easton's Central Business District. Provision is made for the accommodation of a wide range of business pursuits, retail sales and office and service activities which serve the needs of citizens of the region. The district is designed to preserve, and to encourage the continued development of the Central Business Area consistent with the unique land use mix which currently exists.

Uses which may be potentially detrimental to a neighborhood for such reasons as odor, smoke, dust, fumes, fire, vibration, noise or hazardous conditions because of fire or explosion shall not be permitted.

### **28 – 305.2 DEVELOPMENT STANDARDS**

The following minimum development standards shall be observed in the CB District:

#### **A. Lot Standards**

1. Minimum lot size – All lots hereafter established shall be not less than 5,000 square feet.
2. Minimum lot dimensions – All lots hereafter established shall have depth of at least sixty (60) feet.
3. Lot frontage – All lots hereafter established shall have a minimum frontage on a public street or way of at least thirty (30) feet.

- 1 B. Off-Street Parking shall not be required for uses within the CB Zoning  
2 District. The adequacy of parking relative to the proposed use of the  
3 property shall be evaluated during the site plan review process.  
4
- 5 C. Minimum setback requirements for all lots and uses:  
6
- 7 1. Front setback:  
8
- 9 a. in previously developed areas in the CB commercial zone  
10 the existing or established front building line of that block;  
11
- 12 b. all buildings hereafter constructed in areas without an  
13 established front building line in that block shall be setback  
14 twenty-five (25) feet from the front property line  
15
- 16 2. Rear setback:  
17
- 18 a. in previously developed areas in the CB commercial zone  
19 the existing or established rear building line of that block;  
20
- 21 b. all buildings hereafter constructed in areas without an  
22 established rear building line in that block shall be setback  
23 fifteen (15) feet from the rear property line.  
24
- 25 3. Side setbacks – none.  
26
- 27 D. Height limitations – sixty (60) feet.  
28
- 29 E. Building structure size – not to exceed twenty-five thousand (25,000)  
30 square feet of gross floor area, except by Special exception.  
31
- 32 F. Building envelope – All lots shall have a minimum building envelope of  
33 twenty (20) feet deep by thirty (30) feet wide.  
34
- 35 G. Lot coverage – by all buildings and structures shall not exceed ninety (90%)  
36 percent.  
37
- 38 H. Maximum density shall be seven (7) dwelling units per acre for single-  
39 family dwellings, sixteen (16) dwelling units per acre for multifamily  
40 dwellings, or as specified in Section 28-1007.1 A 9 for Middle Housing  
41 Types.  
42
- 43 I. All on-site lighting unless approved otherwise by the Planning and Zoning

Commission shall be low cut-off shielded luminaries at 18' height and light shall not shine off-site at levels greater than 1-foot candle.

- J. All off-street loading and unloading areas shall be screened from view by permanent, decorative screens or natural plantings, a minimum of eight (8) feet in height, as per the requirements of Section 28 – 1014 of this Ordinance.

## **SECTION 28 – 306 CG - COMMERCIAL GENERAL DISTRICT**

### **28 – 306.1 PURPOSE**

The purpose of this district is to provide appropriate locations for a broad range of intensive commercial activities. Provision is made for the accommodation of a wide range of business pursuits, including retail, wholesale, storage and contracting activities.

Uses which may be potentially detrimental to a neighborhood for such reasons as odor, smoke, dust, fumes, fire, vibration, noise or hazardous conditions because of fire or explosion shall not be permitted.

### **28 – 306.2 DEVELOPMENT STANDARDS**

The following minimum development standards shall be observed in the CG District:

#### **A. Lot Standards:**

1. Minimum lot size – All lots hereafter established shall be not less than 20,000 square feet
2. Lot frontage – Each lot hereafter established shall have a minimum frontage on a public street or way of sixty (60) feet.

#### **B. Off-Street Parking shall be provided for all uses in accordance with the standards of Section 28 – 1001.**

#### **C. Setback requirements for all lots and uses:**

1. Front setback – All structures shall be setback at least twenty-five (25) feet.
2. Rear setback – All structures shall be setback at least fifteen (15) feet from the rear property line.



1  
2 3. Side setbacks – A minimum of two side yards of ten (10) feet each.  
3

4 D. Building Envelope – All lots shall have a minimum building envelope of  
5 twenty (20) feet deep by thirty (30) feet wide.  
6

7 E. Height limitations – fifty (50) feet.  
8

9 F. Lot coverage – by all buildings and structures shall not exceed fifty (50%)  
10 percent.  
11

12 G. All on-site lighting unless approved otherwise by the Planning and Zoning  
13 Commission shall be low cut-off shielded luminaries at 18' height and light  
14 shall not shine off-site at levels greater than 1-foot candle.  
15

16 H. All off-street loading and unloading areas shall be screened from view by  
17 permanent, decorative screens or natural plantings, a minimum of eight (8)  
18 feet in height.  
19

20 I. All areas not devoted to buildings or parking areas shall be landscaped and  
21 maintained in accordance with Section 28 – 1014 of this Ordinance.  
22

## 23 **SECTION 28 – 307 CL - COMMERCIAL LIMITED DISTRICT**

24

### 25 **28 – 307.1 PURPOSE**

26

27 The purpose of this district is to provide appropriate locations for select commercial  
28 activities. Provision is made for the accommodation of a wide range of business pursuits,  
29 retail sales, and office and service activities which serve the needs of citizens of the region.  
30

31 Uses which may be potentially detrimental to a neighborhood for such reasons as odor,  
32 smoke, dust, fumes, fire, vibration, noise or hazardous conditions because of fire or  
33 explosion shall not be permitted.  
34

### 35 **28 – 307.2 DEVELOPMENT STANDARDS**

36

37 The following minimum development standards shall be observed in the CL District:  
38

39 A. Any development within the CL District requires Site Plan review and  
40 Planning and Zoning Commission approval in accordance with Section 28  
41 – 901 (size thresholds for Planning and Zoning Commission Review  
42 notwithstanding).  
43

- 1 B. The minimum lot size for all uses hereafter established shall be sixty  
2 thousand (60,000) square feet.  
3  
4 C. Off-street parking shall be provided in accordance with the provisions of  
5 Section 28 – 1001 and shall be located in the rear or side yard.  
6  
7 D. All lots hereafter established shall have a minimum frontage on a public  
8 street or way of at least two hundred (200).  
9  
10 E. Minimum setbacks for all structures shall be as follows:  
11  
12 1. Front – forty (40) feet from the property line  
13  
14 2. Side – ten (10) feet on each side of the property line.  
15  
16 3. Rear – fifteen (15) feet from the property line.  
17  
18 4. There shall be maintained a landscaped buffer of seventy-five (75)  
19 feet on any lot line adjacent to residentially zoned property in  
20 accordance with the provisions of Section 28 – 1014 of this  
21 Ordinance.  
22  
23 F. Height limitations – fifty (50) feet.  
24  
25 G. Lot coverage by all buildings and structures shall not exceed thirty-five  
26 (35%) percent of the lot area.  
27  
28 H. There shall be no outdoor storage of any goods or merchandise on any lot  
29 or open areas, nor shall any products be displayed in open areas.  
30  
31 I. All on-site lighting unless approved otherwise by the Planning and Zoning  
32 Commission shall be low cut-off shielded luminaries at 18' height and light  
33 shall not shine off-site at levels greater than 1-foot candle.  
34  
35 J. All off-street loading and unloading areas shall be screened from view by  
36 permanent decorative screens or natural planting, either of which shall be a  
37 minimum of eight (8) feet in height, in accordance with the provisions of  
38 Section 28 – 1014 of this Ordinance.  
39  
40 K. All areas not devoted to buildings or parking areas shall be landscaped and  
41 maintained in accordance with Section 28 – 1014 of this Ordinance.  
42  
43

## **SECTION 28 – 308 BC – BUSINESS COMMERCIAL DISTRICT**

### **28 – 308.1 PURPOSE**

The purpose of this district is to provide areas for light industrial, service/business commercial and related uses which can operate in a clean and quiet manner. Certain public facilities needed to serve the district and adjoining residential and commercial districts are permitted. Regulations are designed to protect abutting or surrounding districts; to establish standards for intensity of use and to guide the character of development. In keeping with the purpose of this district, no use may be permitted which may be detrimental to the area because of odor, smoke, dust, fumes, fire, noise, explosion, or open storage.

### **28 – 308.2 DEVELOPMENT STANDARDS**

The following minimum development standards shall be observed in the BC District:

- A. The minimum size for all uses hereafter established shall be 40,000 square feet.
- B. Off-street parking shall be provided in accordance with the provisions of Section 28 – 1001.
- C. All lots hereafter established shall have a frontage on a public street or way of at least one hundred (100) feet.
- D. Minimum setbacks for all uses shall be as follows:
  1. Front – forty (40) feet from the property line.
  2. Side – ten (10) feet on each side of the property line.
  3. Rear – thirty (30) feet from the property line.
- E. Height limitations – thirty-five (35) feet.
- F. Building Envelope – all lots shall have a minimum building envelope of thirty (30) feet deep by eighty (80) feet wide.
- G. Lot coverage by all buildings and structures shall not exceed fifty (50%) percent of the lot area.
- H. There shall be no open storage on any lot or open areas, nor shall any products be displayed in open areas. All outside storage shall be adequately screened and landscaped in accordance with provisions of Section 28 – 1014 of this Ordinance.

- 1 I. All on-site lighting unless approved otherwise by the Planning and Zoning  
2 Commission shall be low cut-off shielded luminaries at 18' height and light shall  
3 not shine off-site at levels greater than 1-foot candle.  
4  
5 J. All off-street loading and unloading areas shall be screened from view by  
6 permanent decorative screens or natural planting, either of which shall be a  
7 minimum of eight (8) feet in height, in accordance with the provisions of Section  
8 28 – 1014 of this Ordinance  
9  
10 K. All areas not devoted to buildings or parking areas shall be landscaped and  
11 maintained in a suitable manner, in accordance with the provisions of Section 28 –  
12 1014 of this Ordinance.  
13

## 14 **SECTION 28 – 309 I – INDUSTRIAL DISTRICT**

### 15 16 **28 – 309.1 PURPOSE**

17  
18 The purpose of this district is to provide areas for industrial and related uses which can  
19 operate in a clean and quiet manner, with an emphasis on reserving land for uses of a truly  
20 industrial nature. Certain public facilities needed to serve the district and adjoining  
21 residential and commercial districts are permitted. Regulations are designed to protect  
22 abutting or surrounding districts; to establish standards for intensity of use and to guide the  
23 character of development. In keeping with the purpose of this district, no use may be  
24 permitted which may be detrimental to the area because of odor, smoke, dust, fumes, fire,  
25 noise, explosion, or open storage.  
26

### 27 **28 – 309.2 DEVELOPMENT STANDARDS**

28  
29 The following minimum development standards shall be observed in the I District:  
30

- 31 A. The minimum lot size for all uses hereafter established shall be 40,000 square feet.  
32  
33 B. Off-street parking shall be provided in accordance with the provisions of Section  
34 28 – 1001.  
35  
36 C. All lots hereafter established shall have a frontage on a public street or way of at  
37 least one hundred (100) feet.  
38  
39 D. Minimum setbacks for all uses shall be as follows:  
40  
41 1. Front – twenty-five (25) feet from the property line.  
42  
43 2. Side – ten (10) feet on each side of the property line. A setback of twenty-

1 five (25) feet shall be maintained from any adjacent residentially zoned  
2 property.

3  
4 3. Rear – thirty (30) feet from the property line. A setback of twenty-five (25)  
5 feet shall be maintained from any adjacent residentially zoned property.

6  
7 E. Height limitations – forty (40) feet.

8  
9 F. Building Envelope – All lots shall have a minimum building envelope of thirty (30)  
10 feet deep by eighty (80) feet wide.

11  
12 G. Lot coverage by all buildings and structures shall not exceed fifty (50%) percent of  
13 the lot area.

14  
15 H. All storage areas shall be adequately screened and landscaped in accordance with  
16 provisions of Section 28 – 1014 of this Ordinance.

17  
18 I. All on-site lighting unless approved otherwise by the Planning and Zoning  
19 Commission shall be low cut-off shielded luminaries at 18' height and light shall  
20 not shine off-site at levels greater than 1-foot candle.

21  
22 J. All off-street loading and unloading areas shall be screened from view by  
23 permanent decorative screens or natural planting, either of which shall be a  
24 minimum of eight (8) feet in height, in accordance with the provisions of Section  
25 28 – 1014 of this Ordinance.

26  
27 K. All areas not devoted to buildings or parking areas shall be landscaped and  
28 maintained in a suitable manner, in accordance with the provisions of Section 28 –  
29 1014 of this Ordinance.

30  
31 L. Sidewalks shall be constructed along any public right-of-way (except for alleys)  
32 adjacent to the site along the entire frontage(s) of the property. To the extent  
33 practicable, walkways shall be constructed on the site to tie building entrances  
34 and/or pedestrian pathway systems into existing or proposed public sidewalk  
35 systems.

36  
37 **SECTION 28 – 310G/I – GOVERNMENTAL/INSTITUTIONAL DISTRICT**

38  
39 **28 – 310.1 PURPOSE**

40  
41 The G/I Governmental/Institutional District is intended to accommodate a wide-range of  
42 institutional, cultural, and governmental uses. Although such uses may be permitted in a  
43 number of other Zoning Districts, the G/I District is one in which those are the only such

1 uses deemed appropriate therein.

## 2 3 **28 – 310.2 DEVELOPMENT STANDARDS**

4  
5 The following minimum development standards shall be observed in the G/I District:

### 6 7 A. Lot standards:

- 8  
9 1. Minimum lot sizes – All lots hereafter established shall be not less than  
10 40,000 square feet in area.  
11  
12 2. Lot frontage – Each lot hereafter established shall have a minimum frontage  
13 on a public street or way of one hundred (100) feet.  
14

### 15 B. No more than one principal use shall be permitted outright on an individual lot. 16 Multiple permitted uses that are complimentary and customarily found in 17 combination may be approved for the same lot via the Special Exception process, 18 as specified in Section 28 – 1303.5 B of this Ordinance 19

### 20 C. Off-Street Parking and Loading – Off-street parking and loading shall be provided 21 for all uses in accordance with the standards of Section 28 – 1001, subject to the 22 following: 23

- 24 1. Joint Use off-site parking shall be permitted in the RH District in  
25 accordance with Section 28 – 1001.4 of the Ordinance. During site plan  
26 review and approval, the Planning and Zoning Commission may approve  
27 off-site and/or shared parking arrangements for uses located adjacent to the  
28 G/I District.  
29

### 30 D. Setback requirements for all lots and uses:

- 31  
32 1. Front setback – All structures shall be setback at least forty (40) feet from  
33 the front property line.  
34  
35 2. Rear setback – All structures shall be setback at least thirty (30) feet from  
36 the rear property line.  
37  
38 3. Side setbacks – A minimum of two side yards of fifteen (15) feet each.  
39

### 40 E. Height limitations – fifty (50) feet. The Planning and Zoning Commission may 41 approve buildings up to sixty (60) feet in height during site plan review. 42

### 43 F. Lot coverage – by all buildings and structures shall not exceed fifty percent (50%). 44

1  
2  
3 **SECTION 28 – 311 RH – REGIONAL HEALTHCARE DISTRICT**  
4

5 **28 – 311.1 PURPOSE; CRITERIA FOR ESTABLISHMENT**  
6

- 7 A. The RH Regional Healthcare District is intended to provide for and encourage a  
8 regional hospital and related healthcare facilities in a campus setting and to identify  
9 and recognize the importance of such institutions and related uses to continue to be  
10 located within and serving the Town. These regulations are also intended to protect  
11 adjacent properties from the potential adverse impacts of such facilities by  
12 establishing development standards to which hospital and related uses must  
13 conform. The District is intended to include amenities, services, and uses offered  
14 primarily for patients and their families, healthcare providers, administrators,  
15 employees, visitors and other users of facilities located within the District.  
16

17 The logical, orderly and appropriate expansion and development of regional  
18 healthcare facilities in the Town that will meet the long range healthcare needs of  
19 the community are public necessities and are in the interests of the health,  
20 prosperity and welfare of the citizens of Easton, Talbot County and the Mid-Shore  
21 area  
22

- 23 B. The RH District is a base zoning district and may be established anywhere within  
24 Town limits, provided the following criteria are satisfied:  
25

- 26 1. The land area proposed for inclusion in the RH District is at least fifty (50)  
27 acres in overall size, with all of the land or parcels proposed for inclusion  
28 in such District being contiguous to one another or separated only by a  
29 public street or other public right-of-way;  
30  
31 2. All of the land area proposed for inclusion in the RH District is served or  
32 will be served at the time of physical development by public sewer and  
33 water systems; and  
34  
35 3. A RH District may be expanded in increments of less than 50 acres,  
36 provided that the additional land is contiguous to or abutting an existing RH  
37 District.  
38  
39 4. As a condition of establishment of each RH District, initial building  
40 construction within such District shall include construction of at least the  
41 first phase of an acute care hospital.  
42

- 43 C. The provisions of this RH District, where in conflict with other provisions of the

1                   Zoning Code, shall prevail.  
2

3                   **28 – 311.2 DEVELOPMENT STANDARDS**  
4

5                   Any development within the RH District requires Site Plan review and approval in  
6                   accordance with Section 28 – 301. The following minimum development standards shall  
7                   be observed in the RH District:  
8

9                   A. Lot standards:  
10

- 11                   1. Minimum Lot Sizes – Each lot hereafter established shall be not less than  
12                   ten thousand (10,000) square feet.  
13  
14                   2. Lot Frontage – Each lot hereafter established shall have a minimum frontage  
15                   on a public or private street or way of sixty (60) feet.  
16

17                   B. Minimum Building Envelope – Each lot hereafter established shall have a minimum  
18                   building envelope of sixty (60) feet deep by forty (40) feet wide.  
19

20                   C. Minimum Setback Requirements for All Lots and Uses (except as specifically  
21                   provided below):  
22

- 23                   1. Front – thirty (30) feet from the property line.  
24  
25                   2. Side – fifteen (15) feet from the property line.  
26  
27                   3. Rear – fifteen (15) feet from the property line.  
28  
29                   4. Additional setback requirements – Notwithstanding the foregoing, the  
30                   following expanded setbacks shall apply to certain circumstances and  
31                   locations in the RH District:  
32  
33                   a. Where any building is erected or altered to exceed thirty-five (35)  
34                   feet in height, the required thirty (30) foot front setback shall be  
35                   increased one (1) foot for every foot of building height over thirty-  
36                   five (35) feet, excluding roof structures and architectural features  
37                   permitted above the height limit by Section 28 – 1003.  
38  
39                   b. Where any building is erected or altered to exceed thirty-five (35)  
40                   feet in height, the required fifteen (15) foot rear and side setbacks  
41                   shall be increased one (1) foot for every foot of building height over  
42                   thirty-five (35) feet, excluding roof structures and architectural  
43                   features permitted above the height limit by Section 28 – 1003.



1  
2 c. From property zoned other than RH and from Route 50:  
3

4 i. All principal structures shall be setback at least one-hundred  
5 fifty (150) feet; and  
6

7 ii. All parking areas and accessory structures shall be setback  
8 at least one-hundred (100) feet.  
9

10 d. From public roads and highways (excluding Route 50) existing on  
11 the date of establishment of the RH District or their reconfigured  
12 alignment, if applicable (collectively, the “Existing Public Roads”):  
13

14 i. All principal structures shall be setback at least seventy five  
15 (75) feet from Existing Public Roads; and  
16

17 ii. All parking areas and accessory structures shall be setback  
18 at least twenty-five (25) feet from Existing Public Roads.  
19

20 5. The setbacks established under (1) through (4) above shall not apply to  
21 storm water management or treatment facilities, swales, inlets, pipes and  
22 other conveyances, which shall be subject to a minimum setback of five (5)  
23 feet from any street line or property line. Notwithstanding the foregoing,  
24 storm water ponds and basins shall be subject to a minimum setback of  
25 twenty-five (25) feet from any street line or property line, except County  
26 roads, which shall have a fifty (50) foot setback. Except as specifically  
27 required by subsection 4(d), no part of any parking and maneuvering space  
28 shall be closer than ten (10) feet to any street line or property line.  
29

30 6. Adjustment of setbacks for hospital and medical services and covered  
31 walkways:  
32

33 a. The setbacks required under (1) through (4) above shall not apply  
34 between a hospital and (i) any building(s) housing Medical Services  
35 or (ii) any parking garage structure that are constructed on separate  
36 lots of record and may connect, abut or be located closer than  
37 permitted by such setbacks.  
38

39 b. The setbacks required under (1) through (4) above shall not apply  
40 to covered walkways connecting buildings located on separate lots  
41 of record.  
42

43 D. The provisions of Sections 28 – 1005 and 28 – 1006 shall also apply to the RH

District.

E. Height limitations:

1. A hospital building shall have a maximum of six (6) occupied stories and shall be limited to one hundred ten (110) feet in height. The height of a hospital building shall be measured as the average vertical distance between finished ground level at each corner of the front façade and the highest point of the structure excluding a rooftop helipad and related stairway/elevator tower and other roof structures and architectural features permitted above the height limit by Section 28 – 1003.
2. All other structures and facilities shall be limited to sixty (60) feet in height, excluding roof structures and architectural features permitted above the height limit by Section 28 – 1003. Such heights shall be measured in accordance with the generally applicable definitions and provisions of the Zoning Code.
3. The maximum height of each building in the RH District shall be subject to Federal Aviation Administration restrictions and regulations.

F. Lot Coverage – Subject to the following exception, not more than 40% of the area of each lot shall be covered by buildings and structures (excluding surface parking). The Lot Coverage on any single lot within a RH District may exceed 40% of such lot provided such excess of Lot Coverage on such lot does not cause the total Lot Coverage on all lots within such RH District to exceed 40% of the area of the lots comprising the District. Any application for site plan approval shall determine and specify the cumulative area of Lot Coverage existing and/or approved within such RH District. The Board of Appeals may not modify the cumulative Lot Coverage limitation for any RH District by variance.

G. Open Space – Subject to the following exception, at least 15% of the area of each lot shall be Open Space. The Open Space area on any single lot within a RH District may be less than 15% of such lot, provided such reduction of Open Space on such lot does not cause the total Open Space for all lots within such RH District to fall below 15% of the area of the lots comprising the District. Any application for site plan approval shall determine and specify the cumulative area of Open Space existing, approved and remaining within such RH District. The Board of Appeals may not modify the cumulative Open Space requirement for any RH District by variance.

H. Intensity Limitation – Subject to the following exception, the Floor Area Ratio for all lots in each RH District shall not exceed 0.25. The Floor Area Ratio for any

1 single lot within a RH District may be greater than 0.25, provided such excess floor  
2 area on such lot does not cause the total Floor Area Ratio for all lots within such  
3 RH District to exceed 0.25 of the total area comprising the District. Any application  
4 for site plan approval shall determine and specify the cumulative Gross Floor Area  
5 and Floor Area Ratio existing and/or approved within such RH District. The Board  
6 of Appeals may not modify the cumulative Floor Area Ratio limitation for any RH  
7 District by variance.  
8

9 I. On-Site Lighting – All on-site lighting, unless approved by the Planning and Zoning  
10 Commission, shall be low cut-off luminaries at 18’ height and light shall not shine  
11 off-site at levels greater than 1-foot candle. In areas where necessary, and  
12 specifically for the helipad, helipad walkway, and emergency room receiving area,  
13 lighting in excess of 4-foot candle power, as required by state and federal  
14 regulations, shall be permitted.  
15

16 J. Off-Street Parking and Loading – Off-street parking and loading shall be provided  
17 for all uses in accordance with the standards of Section 28-1001, subject to the  
18 following:  
19

20 1. Off-street parking and loading spaces shall be provided in accordance with  
21 the generally applicable standards and procedures of the Zoning Code  
22 regarding parking except as specifically modified by the Planning and  
23 Zoning Commission pursuant to Section 28 – 1001.3 (C).  
24

25 2. Joint Use off-site parking shall be permitted in the RH District in  
26 accordance with Section 28 – 1001.4 of the Ordinance. During site plan  
27 review and approval, the Planning and Zoning Commission may approve  
28 off-site and/or shared parking arrangements for uses located adjacent to the  
29 RH District and zoned Governmental/Institutional.  
30

31 K. Signage – Signage within an RH District shall be developed in accordance with a  
32 General Signage Plan approved and/or modified by the Planning and Zoning  
33 Commission for each RH District. The size, location, height and number of signs  
34 constructed within a RH District shall comply with the General Signage Plan  
35 applicable at the time of construction of such signs. In light of the master-planned,  
36 campus style development permitted by a RH District and the importance of  
37 providing for efficient direction and movement of patients and visitors throughout  
38 the campus, the General Signage Plan shall provide for the planning, design, and  
39 implementation of signs that are coordinated and compatible throughout a RH  
40 District. The General Signage Plan shall comply with Section 28 – 1101 of the  
41 Zoning Code except as such provisions are modified by the Planning and Zoning  
42 Commission through approval of such General Signage Plan. The Planning and  
43 Zoning Commission may permit deviations from Section 28 – 1101 with respect to

the number, type and/or size of signs, including up to the following:

1. One freestanding sign at each State road frontage, the area of which may not exceed 250 square feet and the height of which may not exceed 15’;
2. Identification signs for the name of the regional medical campus on not more than three facades of a hospital, so long as the area of the signs does not exceed 12% of the area of each façade and the area of each sign does not exceed 400 square feet; and
3. Identification signs for the name(s) of a business or office complex or tenant(s) on not more than two facades of a structure two or more stories in height, so long as the area of each of the signs does not exceed the lesser of 10% of the façade or 300 square feet.

## **28 – 311.3 PERMITTED USES**

A building may be erected, altered or used, and a lot may be occupied or used, in whole or in part, for any of the following uses, provided that such uses shall comply with the RH District Development Standards, and all other applicable provisions of the Zoning Code.

### **A. Agricultural Uses**

1. Agricultural cultivation;
2. Horticultural and/or floricultural production and/or wholesale operations;
3. Maintenance of land that is fallow, conservation reserved, or set aside due to Soil Conservation service best management practices, crop rotation or federal, state or local government programs, subject to all other applicable Town rules and regulations regarding weed control, meadows and property maintenance;
4. Orchards;
5. Silviculture, including Christmas tree farms;
6. Sod production; and
7. Viticulture and vineyards.

### **B. Commercial Uses**

1. Alternative medical practices, such as acupuncture or massage or aquatic therapy;
2. Ambulance services;
3. Day Care facilities (Adult, Family, Small Group and/or Group);
4. Drug and/or alcohol treatment and counseling services;
5. Health or Medical Clinics;
6. Health agencies and hospice or home healthcare services;
7. Healthcare research uses or facilities;
8. Healthcare uniform sales and rentals;
9. Helipads (only for use by helicopters involved in emergency rescue operations or transporting critical patients, personnel or supplies);
10. Hospital, medical, surgical and dental supply businesses (wholesale and retail);
11. Medical Cannabis Dispensary;
12. Medical laboratories
13. Medical services;
14. Offices for:
  - a. Healthcare related business or professionals;
  - b. Insurance or health maintenance organizations, and
  - c. Administrative offices for any use permitted in the RH District;
15. Production and sales of prosthetics and/or durable medical equipment;
16. Rehabilitation services, including exercise facilities;
17. Special Medical Treatment Facilities;
18. Tissue banks; and

1  
2 19. Other uses, as approved by special exception by the Board of Appeals, not  
3 specifically permitted by Section 28 – 313.4, that facilitate, support and/or  
4 are directly related to the provision of medical or healthcare services,  
5 provided that such uses shall be similar to uses permitted by right in this  
6 District (other than Helipads and Hospitals) in general character and, more  
7 specifically, similar in terms of locational requirements, operational  
8 characteristics, visual impact and traffic generation.  
9

10 C. Institutional uses  
11

- 12 1. Educational institutions or classrooms (including university, college,  
13 vocational and trade schools) for healthcare related instruction and/or  
14 research;  
15  
16 2. Hospitals; and  
17  
18 3. Nursing homes.  
19

20 D. Residential uses  
21

- 22 1. Assisted Living facilities;  
23  
24 2. Domiciliary Care facilities;  
25  
26 3. Healthcare staff housing;  
27  
28 4. Healthcare student dormitories;  
29  
30 5. Overnight Care facilities; and  
31  
32 6. Patient hostels.  
33

34 E. Industrial uses  
35

- 36 1. Warehousing directly and primarily related to one or more permitted uses.  
37

38 F. Miscellaneous uses  
39

- 40 1. Energy centers (including boilers, chillers, emergency generators, co-  
41 generators, solar generation, etc.);  
42  
43 2. Parking (surface and/or structured, including commercial garages and

1 shared parking for multiple uses located within and/or adjacent to the RH  
2 District);

3  
4 3. Private utility, infrastructure and maintenance facilities;

5  
6 4. Public utility uses and structures;

7  
8 5. Covered walkways (at grade or elevated) connecting buildings containing  
9 permitted uses; and

10  
11 6. Accessory Uses and Structures that are clearly incidental to and customarily  
12 found in connection with a permitted use or structure.

13  
14 **28 – 311.4 ANCILLARY USES**

15  
16 The following uses are also permitted to provide services or support for patients,  
17 employees, visitors and other users of permitted uses. These are intended as ancillary uses  
18 and shall be planned, sized, and designed primarily to serve the needs of patients,  
19 employees, visitors and other users of facilities located within the RH District.

20  
21 These uses shall be located within structures containing one or more of the permitted uses  
22 listed in Section 28 – 313.4 and shall not have signage designed to attract patrons from  
23 outside the RH District

24  
25 1. Automatic teller machines;

26  
27 2. Barber shops and beauty salons;

28  
29 3. Bookstores;

30  
31 4. Confectionary stores;

32  
33 5. Convenience stores;

34  
35 6. Financial institutions;

36  
37 7. Florist shops;

38  
39 8. Gift shops;

40  
41 9. Houses of Worship;

42  
43 10. Libraries;

11. Newspaper/magazine shops;
12. Pharmacies and drug stores;
13. Restaurants and cafeterias; and
14. Other accessory and ancillary uses and structures.

## **28 – 311.5 TEMPORARY USES**

The following temporary uses are also permitted within the RH District:

1. Mobile medical facilities
2. The following temporary uses permitted by the Town Planner in accordance with Section 28 – 1306 for a duration not to exceed 15 days:
  - a. Tents and special events; and
  - b. Public events; and
3. Additional temporary uses permitted by the Planning and Zoning Commission in accordance with Section 28 – 1306.

## **28 – 311.6 PROHIBITED USES**

Shopping centers and all other uses not permitted by Sections 28 – 311.3, 28 – 311.4, or 28 – 311.5 are prohibited in the RH District.

## **28 – 311.7 ADDITIONAL REQUIREMENTS; PROCESSES**

- A. All uses within the RH District shall comply with applicable rules and regulations of the Maryland Department of Health.
- B. All projects shall be designed to ensure safety in the area surrounding each structure or facility, which may include road improvements and additional traffic control devices (*e.g.*, signal lights, signs, pavement marking, etc.).
- C. For any lot in the RH District that receives site plan approval for development, all areas of such lot shall be landscaped and maintained in accordance with Section 28 – 1014. All other areas of the RH District may remain in a natural condition subject to all other applicable Town rules and regulations regarding weed control,



1 meadows and property maintenance.

2  
3 D. Subdivisions and/or site plans for projects within the RH District shall comply with  
4 the Town's subdivision regulations and/or the site plan review and approval  
5 procedures and requirements of Article III.  
6

7 E. Development within any RH District should be guided by the following design  
8 principles, which will be considered by the Town Planning and Zoning  
9 Commission during site plan review:  
10

- 11 1. The colors, designs and materials used throughout any RH District should  
12 be complementary to establish and maintain a visually-coordinated campus  
13 appearance with a recognizable image as a distinct place while maintaining  
14 a design that is appropriate to the context of Easton. Intriguing design  
15 character should be encouraged through the creative use of materials and  
16 design details. Building elements should create focal points and establish  
17 hierarchy. Rooftop mechanical equipment should be screened or located so  
18 it is not visible. Design elements of large buildings should be varied and  
19 articulated to visually and dimensionally interrupt the bulk of the buildings.  
20 Color schemes should tie building elements together, relate separate  
21 buildings within an RH District to each other, and should be used to enhance  
22 the architectural form of a building  
23
- 24 2. Accessory structures, service areas and mechanical equipment should be  
25 designed as integral components of the site.  
26
- 27 3. Pedestrian access should be provided and incorporated into the site and  
28 building design. Landscaped, tree-lined walkways should be used as  
29 connections between buildings, buildings to streets or buildings to parking  
30 areas. Site design should incorporate recessed sitting areas into the walk or  
31 pathway system.  
32
- 33 4. Landscaping should create and define street image, entranceways, screen  
34 storage and loading areas, provide buffers adjacent to residential uses, shade  
35 parking lots and integrate the building design with the site design.  
36
- 37 5. Where appropriate, open space amenities should be included as part of the  
38 overall site plan by providing small areas for active or passive use by  
39 employees such as picnic tables, benches and other areas for sitting, eating  
40 or meeting. Spaces between a hospital and adjacent buildings constructed  
41 with reduced setbacks should include a courtyard or other pedestrian-  
42 oriented site feature.  
43

6. Circulation and parking should reinforce safe and efficient pedestrian and vehicular movement. The main entrances should serve as the dominant ingress and egress points for the District. Curb cuts should be consolidated to the extent practicable.
7. Signage should serve as a focal point for information to identify the location and nature of uses within an RH District. Signage design should improve the visual continuity of the area; it should not serve as a distraction. The design and materials of a sign should complement and be similar to those used for the buildings.
8. A bus shelter (or shelters) shall be provided to afford bus riders the opportunity to wait for their bus in a structure that protects them from inclement weather. The location of such shelter(s) shall be shown on the site plan at the sketch plan level.

Lighting fixtures should be designed to provide continuity with an RH District. Lighting levels should be appropriate for the use proposed. The illumination of buildings and site features (parking lots, walkways, entrances, etc.) should not exceed the needed level and should be appropriately sized for its purpose.

## **28-312 MIXED-USE WATERFRONT DISTRICT (MXW)**

### **28-312.1 PURPOSE**

- (A) The purpose of this district is to advance the vision of the Town of Easton for Easton Point as expressed in the Town's Comprehensive Plan, as amended, which includes the Port Street Small Area Plan (collectively, the "Plan"). In accordance with the spirit and intent of that Plan, Easton Point is envisioned as an area appropriate for infill development and redevelopment of a mixed-use nature, with a wide variety of uses possible, including residential, commercial, institutional and open space. The intent IS NOT to require an exact duplicate of the uses as depicted on the Plan, but rather to encourage such development or redevelopment that is consistent with the Plan from a use and character perspective.
- (B) Permitted uses will enable the creation of a neighborhood/destination that caters to new residents, provides sources of employment, serves as a tourist destination, and provides public open spaces and Waterfront access. Particular attention shall be given to impacts on the Tred Avon River, the headwaters of which this zoning district borders.
- (C) In recognition that different parts of the Zoning District have different design and development goals and objectives, four Zoning Sub-Districts are established for

1 the purpose of differentiating various development standards applicable in these  
2 areas. If a parcel of land is divided by a sub district boundary line at the time of  
3 enactment of this code or by subsequent amendments thereto, the appropriate  
4 standards and uses for each sub district shall apply on the portion of the parcel  
5 covered by that sub district. Notwithstanding the above, where a parcel is divided  
6 between the Water View and Inland sub districts, the Planning and Zoning  
7 Commission may consider the entire parcel to be within the Inland sub-district.  
8 The sub-districts are depicted on Map 28-312.1<sup>1</sup> and their purposes are as follows:  
9

10 a. Water's Edge Sub-District – This sub-district is applied to the land located  
11 adjacent to and within 100' (or more in certain circumstances) of the edge  
12 of the Tred Avon River. The purpose of the regulations applying to this  
13 sub-district is to:  
14

- 15 1. Encourage and sustain the development of water-dependent and  
16 water-related land uses and those supporting commercial uses  
17 which are designed in such a way as to enliven the district;  
18
- 19 2. Preserve the open and relaxed pattern of building in which the  
20 placement of buildings affords views throughout the waterfront  
21 area as opposed to the more formal pattern of building evident in  
22 urban or town centers;  
23
- 24 3. Ensure the preservation of the broad view sheds out over the  
25 water especially from Port Street at the approach to the  
26 waterfront;  
27
- 28 4. Create a destination where the public has space to gather for  
29 recreation, special events, and to readily walk through common  
30 areas to and between commercial activities, including along a  
31 waterfront public boardwalk;  
32
- 33 5. Generally prohibit residential development, with the only  
34 exception being as second story use in a mixed-use building; and  
35

---

<sup>1</sup> Map 28-312.1 depicts the entirety of Easton Point, however it should be noted that some parcels are not within the Town of Easton's jurisdiction at the time of enactment of this Ordinance. While it is envisioned that should they eventually Annex into the Town they would be zoned in accordance with this Map, they cannot be until such time as that action occurs. Additionally, some parcels that are already under the Town's jurisdiction and improved, may not ultimately be zoned MXW.



1  
2  
3

3. Allow for mixed uses with an emphasis on multi-family, live-work units and small commercial uses.

DRAFT

## Proposed MXW District - Easton, MD 2017



1

1  
2  
3  
4  
5 **28-312.2 DEVELOPMENT STANDARDS**  
6

7 (A) Development shall require site plan approval by the Easton Planning and Zoning  
8 Commission in accordance with the standards of Section 28-301 of the Town  
9 Code (notwithstanding the threshold staff-Planning and Zoning Commission  
10 division as all site plans in the MXW Zoning District are subject to Planning and  
11 Zoning Commission review). In addition to the standards required in 28-301, the  
12 Planning and Zoning Commission shall consider the following in their review of  
13 site plans:  
14

- 15 a. Whether or not the proposed project is consistent with the Plan, and to the  
16 extent that it varies from said Plan, whether or not the proposed project is  
17 consistent with the vision, spirit and intent expressed in that  
18 document. Projects deemed to be inconsistent with the Plan shall be  
19 denied unless and until said Plan is amended in such a way as to make the  
20 proposed project consistent with the Plan. Consistency shall refer to both  
21 the proposed use, as well as architectural or design considerations.  
22  
23 b. Whether or not the proposed use is likely to generate potentially adverse  
24 impacts to neighboring or nearby properties in the form of undue noise,  
25 smoke, odors, traffic, inadequate or excessive drainage, etc., and if finding  
26 that such potential exists, whether or not such impacts are determined to  
27 be sufficiently ameliorated as part of the proposed project.  
28

29 **28-312.2.1 Permitted Uses**  
30

31 (A) Uses permitted in this Zoning District shall be permitted in the various  
32 sub-districts in accordance with the following table (Note in the following  
33 table, P indicates a use that is permitted outright, SE indicates a use that  
34 may be permitted via Special Exception, A indicates a use that is  
35 permitted if accessory to another permitted use, and – indicates a use that  
36 is prohibited):  
37  
38  
39  
40  
41  
42

TABLE 312 A						
		MXW Sub-Districts				Notes
		Water’s Edge	Water View	Inland	Port Street	
Residential Uses						
Bed & Breakfast*		--	P	--	P	
Multi-Family Dwellings*		--	P	P	P	The supplemental standards related to setbacks and adjacency shall not apply in the MXW.
	Home Occupation*	--	A	A	A	
Single Family Detached*		--	P	P	--	Max. house size of 2,500 sq. ft. & Max. lot size of 7,200 sq. ft. (Max lot size may be averaged for projects of 10 or more lots)
	Day Care (Family)*	--	SE	SE	--	
	Home Occupation*	--	A	A	--	
	Swimming Pools	--	A	A	--	
Two- family or Duplex Units*		--	P	P	P	
	Home Occupation*	--	A	A	A	
	Swimming Pools	--	A	A	A	
Commercial Uses						
Antique Shops		--	P	--	P	
Artisan Shop and Gallery (Art, Blacksmithing, Boat Building, Glass Blowing, Sail Making, Woodworking)		P	P	--	P	
Beverage Manufacturing (Brew Pub, Micro-Brewery, Winery or Distillery)*		P	P	--	P	



TABLE 312 A						
		MXW Sub-Districts				Notes
		Water’s Edge	Water View	Inland	Port Street	
Candy, Nut, or Confections Stores		P	P	--	P	
Coffee Shop, Ice Cream Parlor, Bakery		P	P	--	P	
Commercial Parking (Lot or Garage)		--	SE	SE	SE	
Healthy Lifestyle Center		--	P	P	P	A facility which provides medically supervised services intended to promote overall well-being, addressing such areas as exercise, nutrition, stress management, etc., to produce individually-tailored health improvement and exercise plans.
Hotels*		--	P	P	--	
	Conference Centers	--	A	A	--	
	Gift - Retail Shop	--	A	A	--	
	Fitness Centers/Health Spa/Figure Salon	--	A	A	--	
Live-Work Unit		A	A	A	A	A single unit (e.g., studio, loft, or one bedroom) consisting of both a commercial/office and a residential component that is occupied by the same resident. The live/work unit shall be the primary dwelling of the occupant.
Marina		P	P	--	--	

TABLE 312 A						
		MXW Sub-Districts				Notes
		Water's Edge	Water View	Inland	Port Street	
	Boat Repair Facility	A	A	--	--	
	Boat Storage Facility (Out of Water )	SE	SE	--	--	Limited to 35'-0" in height
	Piers	A	--	--	--	
	Recreational Boating	A	--	--	--	
	Water-Oriented Activities (Water Taxis, Charter Boats, Canoe-Kayak Launches)	A	--	--	--	
Market's (Farmer, Meat or Seafood)		P	P	--	P	
Museums		P	P	P	P	
Newspaper/Magazine Shop		--	P	P	P	
Offices		A	P	SE	P	
Personal Services (e.g., Beauty, Barber, Seamstress, Tailoring, Shoe Repair and Florist), provided such services are of a neighborhood scale.		--	P	--	P	
Restaurant, Carry-out or Sit-down		P	P	--	P	
Retail Shop Small < 2,500 Sq. Ft.		A	P	--	P	
Retail Shop Small < 5,000 Sq. Ft.		--	P	--	P	
Visitor Center		P	P	--	P	
<b>Institutional Uses</b>						
Community/Civic Center		--	P	P	P	
Fire, Rescue, or Police Station		SE	SE	SE	SE	
Houses of Worship		--	SE	SE	SE	
Retirement Community		--	P	P	P	
<b>Recreational - Entertainment Uses</b>						
Indoor Recreation Facility (Music and Dance Studios, Gymnasiums)*		--	P	P	P	

TABLE 312 A						
		MXW Sub-Districts				Notes
		Water's Edge	Water View	Inland	Port Street	
Outdoor Recreation Areas*		P	P	--	--	
	Piers	A	--	--	--	
	Water-Oriented Activities (Water Taxis, Charter Boats, Canoe-Kayak Launches)	A	--	--	--	
Parks and Recreation Areas		P	P	P	P	
Miscellaneous Uses						
Buildings or structures in excess of 25,000 square feet		SE	SE	SE	SE	
Swimming Pools (Commercial or Public)		--	SE	SE	SE	
Utilities Infrastructure		P	P	P	P	

Key:

P – denotes a use that is permitted outright within the sub-district

SE – denotes a use which is possible with a Special Exception within the sub-district

A – denotes a use that is permitted as Accessory to another permitted use in the sub-district

-- - denotes a use that is prohibited within the sub-district

An \* following the use indicates that the listed use is also subject to supplemental standards, which can be found in Section 28-1008 of this Code

28-312.2.2 Prohibited Uses

(A) Uses not listed above are prohibited throughout this Zoning District.

(B) Planned Unit Developments (PUDs) and Planned Healthcare (HC) applications are not permitted and shall not be considered for properties in this Zoning District.

Retail equal to or in excess of 5,000 square feet of gross floor area per building. Such limitation shall apply to other types of retail, rather specifically listed in Table 414 A or not.

1  
2 28-312.2.3 Accessory Uses  
3

4 (A) Uses indicated as permitted Accessory Uses (A) in Table 312 A above, shall be  
5 permitted in the sub-districts so indicated, provided they are clearly associated  
6 with a permitted principle use.  
7

8 (B) Notwithstanding Table 312 A above, other accessory uses may be approved by  
9 the Planning and Zoning Commission during the site plan review process  
10 provided any such uses are clearly incidental to the permitted principle use and  
11 are uses generally associated with such use(s).  
12

13 (C) Piers and Floating docks may be permitted as accessory uses but shall require a  
14 special exception approval by the Easton Board of Zoning Appeals. No such  
15 application shall be approved unless and until all other necessary Federal, State,  
16 or Local permits are obtained and copies of such provided to the Town Planner.  
17

18 **28-312.3 SITE PLANNING STANDARDS**  
19

20 (A) The following minimum site planning standards shall be observed:  
21

22 28-314.3.1 Lot Standards  
23

24 (A) Sub District Development Standards – The following development standards may vary  
25 by sub district as indicated in Table 312 B below, subject to the provisions of Section 28-  
26 312.3.2 of this Code. All other development standards specified shall apply throughout  
27 the MXW District. Those standards listed under columns labelled “Base” represent by-  
28 right entitlements. Any and all development in excess of the Base Standards, up to the  
29 limits under the columns labelled “Max” shall only be permitted in accordance with the  
30 Bonus Provisions per Section 28.312.3.2 below.  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41

TABLE 312 B								
Development Standard	SUBDISTRICT							
	Water's Edge		Water View		Inland		Port Street	
	Base	Max	Base	Max	Base	Max	Base	Max
Minimum Lot Size*	½ acre (21,780 sq. ft)	½ acre (21,780 sq. ft.)	¼ acre (10,890 sq. ft.)	¼ acre (10,890 sq. ft.)	5,000 square feet	5,000 square feet	5,000 square feet	5,000 square feet
Max. Dwelling Units per acre	N/A	N/A	12 du/ac	20 du/ac	12 du/ac	30 du/ac	12 du/ac	30 du/ac
Max. Height**	30'	30'	40'	50'	50'	65'	40'	50'
Maximum Stories**	1.5	2.0	2.5	4.0	3.0	5.0	3.0 (2.5 min.)	4.0
Max. Lot Coverage	20%	30%	30%	45%	40%	75%	50%	80%
Water's Edge Setback***	25' min.	25' min.	N/A	N/A	N/A	N/A	N/A	N/A
Front Setback****	5' Min. 15' Max.	5' Min. 15' Max.	5' Min. 15' Max.	5' Min. 15' Max.	5' Min. 15' Max.	5' Min. 15' Max.	<b>West of Easton Parkway:</b> The minimum setback from Port Street shall be 29 feet from the centerline of Port on the northern side of the street and 41 feet from the centerline on the southern side. The maximum setback shall be 39 feet from the centerline of Port on the northern side and 51 feet from the centerline on the southern side.  <b>East of Easton Parkway:</b> The minimum setback from Port Street shall be 29 feet from the centerline of Port and the maximum setback shall be 39 feet from the centerline of Port.	
Minimum Side Setback	5'	5'	N/A	N/A	N/A	N/A	N/A	N/A

\* For subdivisions of 10 or more lots, the minimum lot size may be replaced by an average lot size of the specified dimension.

\*\* Height and stories in the Zoning District shall be measured from Base elevation.

\*\*\* The Water's Edge setbacks are measured from the line of mean high tide, and are subject to Critical Area Regulations per 28-401.

\*\*\*\* Measured from the property line.

1  
2 (B) Minimum lot dimensions - All lots hereafter established shall have a depth of at  
3 least sixty (60) feet.  
4

5 (C) Lot frontage - All lots hereafter established shall have a minimum frontage on a  
6 public street or way of at least 24 feet.  
7

8 (D) Maximum density - for any residential uses shall be as follows:  
9

10 a. If residential use is part of a vertically-mixed use project (i.e., non-  
11 residential uses are present on the ground floor with residential units on  
12 non-ground floors), there shall be no limit on the residential density.  
13

14 b. For all other development scenarios, the maximum permitted density  
15 shall be as indicated in Table 312 B above.  
16

17 (E) Base Elevation – The base elevation for structures in the Zoning District shall be a  
18 minimum of the base flood elevation plus 24 inches. The base flood elevation  
19 (BFE) must be determined for each project by a Civil Engineer, based on current  
20 Maryland DFIRM maps and the Town of Easton’s Floodplain Management Code.  
21

22 (F) The front yard required for a dwelling in any zone which permits residences may  
23 be reduced in the case of a dwelling to be located between two (2) existing  
24 dwellings which lack the required front yard and which are less than one hundred  
25 (100) feet apart. In such a case the front yard depth shall be not less than that of the  
26 deeper adjoining lot.  
27

28 (G) On corner lots, all sides of the lot which face a street must comply with the  
29 applicable front setback.  
30

31 28-312.3.2 Bonus Provisions  
32

33 (A) In order to effectively provide for the provision of public amenities identified  
34 in the Port Street Small Area Plan, which amenities are viewed as crucial to the  
35 character envisioned for this district by that Plan, the Town of Easton  
36 establishes the following Bonus Provisions. Developers may utilize these  
37 provisions to exceed some of the development standards as specified in, and  
38 subject to the limits of, Table 312 B above.  
39

40 (B) An applicant may exceed the limits specified as “Base” in Table 312 B, up to  
41 the limits specified as “Max,” upon the payment of a fee in the amount of \$9.50  
42 per square foot of the area in excess of the base square footage as modified in  
43 Section 28-312.3.3 below.

(C) The Town, at its sole discretion, may accept land dedicated for the purpose of establishing or providing for such public amenities. If accepted, the fair market value of the land dedicated may be considered as a credit towards the fee resulting from Section 28-312.3.2 (B) above.

(D) Any development which utilizes these bonus provisions shall execute an Agreement prepared to Town Standards and formally accepted by the Town prior to execution. This agreement will, at a minimum, include details concerning:

- Total Payment to be made and the timing of such payment(s).
- A description of land to be dedicated, if any, and its fair market value.
- Summary of all development bonuses to be utilized.
- If applicable, phasing of the development and whether the payment of the fee is associated with these phases, and if so how.

#### 28-312.3.3 Development Incentives

(A) The development of Easton Point in a manner consistent with the mixed-use concept expressed in the Port Street Small Area Plan and Town of Easton Comprehensive Plan is a major priority of the Town of Easton. To that end, the following measures are offered to further incentivize the Plan's Implementation:

- a. To encourage early economic activity and implementation of the Port Street Small Area Plan and act as a catalyst for development, the bonus fee described in Section 28-312.3.2 above shall be adjusted per the following schedule:

<b>Time Period**</b>	<b>Residential Only</b>		<b>Commercial or Mixed Use*</b>	
	<b>%</b>	<b>Cost per square foot**</b>	<b>%</b>	<b>Cost per square foot***</b>
Until 12/31/2021	50	\$4.75	40	\$3.80
From 1/1/2022 to 6/30/2023	75	\$7.13	60	\$5.70
Thereafter	100	\$9.50	80	\$7.60

1 \*Mixed Use requires commercial Use or a minimum ratio of square footage of  
2 Commercial to Residential of 1:4

3 \*\* Time period shall refer to the execution of the Agreement referenced in  
4 Subsection 28-314.3.2 (D) above

5 \*\*\* Cost per square foot rounded up  
6  
7

#### 8 28-312.3.4 Vehicular and Pedestrian Connectivity Standards 9

10 (A) Lots shall be interconnected to all adjoining lots by providing the means to  
11 extend – connect on-site; sidewalks, pedestrian paths, service – access roads.  
12

13 (B) Alleys shall be provided or dedicated for vehicle passageway within a block  
14 and access to garages, accessory buildings, and trash areas along the rear  
15 edges of lots. Each alley shall include at least two points of ingress/egress  
16 into the block, with a paved or gravel surface ranging between 16 to 20 feet in  
17 width. The Planning and Zoning Commission shall have the authority to  
18 waive this requirement when it is determined that the provision or dedication  
19 of an alley is not practicable for the proposed project.  
20

#### 21 28-312.3.5 Off-Street Parking Standards 22

23 (A) Off-street parking shall be required for uses within the Zoning District, in  
24 accordance with the provisions of 28-1001 of the Town Code. Furthermore,  
25 given the proximity to the headwaters of the Tred Avon River, all pavement  
26 used for parking areas shall be pervious. Alternately such parking areas shall  
27 be designed so as to achieve equivalent sediment runoff reduction as would be  
28 achieved with the use of pervious pavement, as determined by the Town  
29 Engineer. Any pervious pavement shall comply with maintenance and  
30 inspection requirements of the Town.  
31

32 (B) Shared off-street parking amongst multiple users, is encouraged in the Zoning  
33 District. To that end, any portion of off-street parking requirements may be  
34 satisfied off-site on land within 500 feet of the subject property. In such cases,  
35 evidence of the right to utilize such off-off-street parking spaces shall be  
36 provided at the time of site plan review.  
37

38 (C) Parking for Residences, Employee and Business vehicles shall be designated  
39 and shall be located in a manner to not compete with patron and visitor parking.  
40

41 (D) Off-street parking may not be located between the water's edge and the  
42 waterfront façade of any principal building, nor between the front property line  
43 and the front building façade, nor in any side yard. If the Planning and Zoning



Commission determines that there are no practicable alternatives, in the Water's Edge sub-district, parking in side yards may be permitted.

(E) Setbacks for any portion of a parking lot or access drive shall be 3' for residential uses and 10' for non-residential uses, measured from the property line. Mixed-use projects shall adhere to the non-residential setback standard. The Planning and Zoning Commission may waive or modify these setback requirements when doing so may promote connectivity and the efficient utilization of space.

(F) The maximum setback requirements may be waived by the Planning and Zoning Commission for an area not to exceed 90% of the frontage in order to accommodate courtyards.

(G) Bicycle Parking spaces shall be required for all non-residential uses and structures. A minimum of one bicycle parking space shall be required for each 20 parking spaces.

a. Bicycle parking spaces may be provided or bicycle racks. Bicycle spaces shall be at least 2 feet 6 inches in width and 6 feet in length, with a minimum overhead vertical clearance of 7 feet. Racks and other fixtures used to provide for nonresidential uses must be securely affixed to the ground and allow for the bicycle to be locked and chained.

b. Where bicycle spaces are required by 28-314.3.3 (G), the spaces may be indoors or outdoors and shall be located within 50 feet of the primary building entrance. Outdoor bicycle parking spaces shall not be located behind any wall or landscaping, or other visual obstruction lying between the principal building and the bicycle spaces. If required bicycle spaces are not visible from the street, signs must be posted indicating their location. Outdoor areas used for required bicycle parking shall have an improved hardened surface, and shall be drained and well lighted. Common areas located within offices and commercial facilities or located on balconies or within residential dwelling units shall not be counted toward required parking.

(H) In the Water's Edge or Water View sub-districts, off-street parking may be provided beneath the ground floor of the structure. When such parking is provided, the area of such parking shall not be considered a story, and the structure above this parking area shall be entitled to the full number of stories specified for the sub-district. Building height shall still be measured from the BASE ELEVATION.

- 1 a. Under-structure parking shall be designed such that all front facades  
2 shall be enclosed and provide a façade(s) that is architecturally  
3 compatible with the overall building.  
4  
5 b. If located in a floodplain, the under-structure parking shall be screened  
6 from view through the use of berms and/or landscaping.  
7

8 28-312.3.6 Site Loading and Unloading Area Standards  
9

- 10 (A) All site loading and unloading areas shall be fully screened from view by  
11 architectural design feature or by permanent, decorative screens or natural  
12 plantings, a minimum of eight (8) feet in height.  
13

14 28-312.3.7 Water Front Access Standards  
15

- 16 (A) All lots fronting on the Tred Avon River shall dedicate a public access  
17 easement to the Town of Easton, over, under and across all strips of land  
18 adjacent to the water. Such required access easement shall be a minimum of  
19 15'-0" wide, or that increased width determined as acceptable and appropriate  
20 by the Planning and Zoning Commission. The purpose of requiring such  
21 access easements is to provide and maintain unrestricted public access along  
22 the entire water frontage of such lots.  
23

24 28-312.3.8 Lighting Standards  
25

- 26 (A) All on-site lighting shall be low cut-off shielded luminaries at a maximum 15'  
27 height and light shall not shine off-site at levels greater than 1 foot candle. All  
28 on-site lighting shall be decorative lamps consistent with the design elements  
29 of the area.  
30

31 28-312.3.9 Underground and Screening of Utilities  
32

- 33 (A) All new, replacement and/or modified utility facilities shall be located  
34 underground where practical, excluding appurtenances such as pedestals,  
35 cabinets, control structures, etc. All utility meters and connections (except  
36 water and wastewater) shall be made at the side or rear of a building and  
37 properly screened to prevent visibility from public streets.  
38

39 **28-312.4 ARCHITECTURAL STANDARDS**  
40

- 41 (A) Building design and construction shall meet the minimum requirements of the  
42 International Code Council's International Green Construction Code or be US  
43 Green Building Council (USGBC) LEED rated, Bronze standard, or a generally

accepted equivalent standard, provided, however that formal LEED certification shall not be required.

#### 28-312.4.1 Building Massing (Shape, Form and Size)

(A) For buildings with ground level commercial or mixed use, floor-to-ceiling height shall be a minimum of 14 feet at ground level and 10 feet for upper stories.

For buildings with ground level non-commercial use, floor-to-ceiling height shall be a minimum of 10 feet for the ground floor and 9 feet for upper stories.

(B) Massing and scale of larger buildings shall generally be broken down into smaller and varied volumes or wrapped linearly in a series of smaller pedestrian-scaled buildings with doors and windows.

(C) Buildings exceeding two stories shall incorporate a base, middle, and cap described as follows:

a. The base shall include an entry way with transparent windows and a molding or reveal placed between the first and second stories or over the second story. The molding or reveal shall have a depth of at least two inches and a height of at least four inches.

b. The middle may include windows and/or balconies; and

c. The cap shall include the area from the top floor to the roof of the building and including a cornice, eave, parapet or overhang.

(D) Regulating lines and rhythms shall be included to create a pedestrian-scaled environment, including horizontal lines, transoms, cornices, eaves, recesses, courts and arcades that provide human scale to façades.

(E) A clear pattern of building openings shall be provided. Windows, balconies, and bays should unify a building's street wall and add considerably to a façade's three-dimensional quality.

(F) Major architectural expressions in the façade such as; corner massing, oversized windows-entrances, towers, chimneys, roof form and dormers, shall be employed to demarcate gateways, intersections and anchor key locations.

(G) Window sills, moldings, and cornices shall align with those of adjacent buildings. The bottom and top line defining the edge of the windows (the

“windowsill alignment”) shall vary not more than two feet from the alignment of surrounding buildings. If the adjoining buildings have windowsill alignments that vary by more than two feet from one another, the proposed building shall align with one of the adjoining buildings.

#### 28-312.4.2 Ground-Floor Design

(A) All buildings in the Zoning District shall have their principal entrance opening to a street, square, plaza, or sidewalk. The principal entrance shall not open to a parking lot. Pedestrian access from the public sidewalk, street right-of-way, or driveway to the principal structure shall be provided through an improved surface. Easements shall be provided to facilitate pedestrian access between parking lots and street frontages.

(B) The ground floor of the entryway shall align with the sidewalk elevation. Sunken terraces or stairways to a basement shall not constitute entryways for purposes of this section. It is not the intent of this section to preclude the use of below-grade entryways, provided that such entryways shall not constitute a principal entryway.

#### 28-312.4.3 Façade Design

(A) Any façade which is oriented to the water’s edge or Boardwalk/promenade, shall be treated as a front façade

(B) Building design shall be done in a manner to not have an apparent rear façade. Façades facing a rear property line shall be designed to be a secondary front and or side façade.

(C) Solid walls shall not exceed 20 feet in length.

(D) All building façades should be responsive to the context of the surrounding environment and neighboring buildings.

(E) Exterior materials shall consist of materials that are traditional, durable and environmentally sustainable. The following list of materials is intended to serve as examples for the desired design aesthetic. Additional materials may be proposed, subject to review and approval by the Planning and Zoning Commission:

a. *Roofing*

1. Sawn shingles or composition shingles;  
standing seam metal; slate; or cedar  
shakes

b. *Soffits*

1. Composition board with smooth finish,  
tongue-and-groove wood boards, or  
fiber-cement panels

c. *Gutters and Downspouts*

1. Half-round or ogee profile gutters with  
round or rectangular downspouts in  
copper, painted or pre-finished metal

d. *Cladding*

1. Smooth-finish wood or fiber cement lap  
siding, 6- to 8-inch exposure or random-  
width cut shingles
2. Sand-molded or smooth-finish brick in Common, English or  
Flemish Bond patterns
3. Civic uses may look to incorporate more contemporary  
materials, such as steel and/ or curtain-wall glazing

e. *Windows*

1. Painted wood or composite, or clad wood or vinyl; true divided  
light or sash with traditional exterior muntin profile (7/8 inch wide)

f. *Doors*

1. Wood, fiberglass, or steel with traditional stile-and-rail  
proportions and raised panel profiles, painted or stained

g. *Shutters*

1. Wood or composite, sized to match window sash and  
mounted with hardware to either be or appear to be operable

1 h. *Columns*

- 2
- 3 1. Architecturally-correct classical proportions and details in
- 4 wood, fiberglass, or composite material
- 5 2. More informal square wooden box columns
- 6

7 i. *Railings*

- 8
- 9 1. Milled wood or composite top and bottom rails with square or
- 10 turned balusters
- 11 2. Wrought iron or solid bar stock square metal picket
- 12

13

14 28-312.4.4 Windows and Entryways

15

16 (A) Windows above the ground floor shall have a ratio of height to width of at

17 least 2:1.

18

19 (B) The uses on the ground floor shall be visible from and/or accessible to the

20 street through the use of windows and doors on at least 50% of the length of

21 the first floor street frontage. At least 60% or more than 90% of the total

22 surface area of the front elevation shall be in public entrances and windows

23 (including retail display windows). Where windows are used, they shall be

24 clear, non-reflective glass.

25

26 (C) Ribbon windows and extensive use of mirrored glass are prohibited.

27

28 (D) All street-level retail uses with sidewalk frontage shall be furnished with an

29 individual entrance and direct access to the sidewalk in addition to any other

30 access that may be provided.

31

32 (E) Doors shall be recessed into the face of the building to provide a sense of

33 entry and to add variety to the streetscape. An entryway shall not be less than

34 one square foot for each 1,000 square feet of floor area, and in all cases shall

35 not be less than 15 square feet.

36

37 (F) Canopies, awnings, and similar appurtenances may be constructed at the

38 entrance to any building and may encroach into any required front setback.

39 Any such feature shall have a minimum depth of 5 feet, and shall have a

40 minimum clearance height above the sidewalk of 8 feet and a maximum

41 clearance height above the sidewalk of 13 feet 6 inches.

42

43 28-312.4.5 Porches

1  
2 (A) Minimum porch depth is 6 feet.  
3

4 (B) Minimum height from ground level to porch floor is 3 feet.  
5

6 28-312.4.6 Color Selections  
7

8 (A) The color palette for projects in the Zoning District shall generally be  
9 designated as follows:

- 10  
11 a. Façade surface colors shall recall natural materials, and avoid bright,  
12 artificial or metallic colors.  
13  
14 b. Accent colors shall be muted blues, greens, yellows, browns, and shades  
15 of white, beige, and gray.  
16  
17 c. Masonry materials, such as brick should typically be left unpainted.  
18  
19 d. Façades should contain no more than three colors.  
20

21 (B) The Planning and Zoning Commission shall have the authority to approve proposed  
22 architecture as compliant with the standards of this subsection, during their site plan  
23 review process. In so doing, the Planning and Zoning Commission shall focus their  
24 review on the more general architectural issues such as the appropriateness of the theme  
25 or style proposed, the general massing, shape, size, form and orientation of the buildings.  
26 The appropriateness of more detailed issues, such as materials and product specifications,  
27 shall be verified by Town staff (with the advice of a professional consulting architect, as  
28 needed).  
29

30 28-312.4.7 Landscaping and Landscaping Features  
31

32 (A) Landscaping shall be required for all development in accordance with the  
33 provisions of 28-1015 of the Town Code and shall utilize native  
34 vegetation.  
35

36 (B) Projects proposed on property which abuts any property that is not zoned  
37 MXW, shall adhere to the Buffer Yard requirements specified for  
38 “property lines adjoining more or less intense zoning or land use” as  
39 detailed in Subsection 28-1014.7 E 5 of the Town Code.  
40

41 28-312.4.8 Building Infrastructure  
42

(A) Such as heating, ventilation, air conditioning, generators and other equipment - appliances, shall be fully screened from view by architectural design features.

#### 28-312.4.9 Refuse, Solid Waste and Recycling Storage

(A) All building containment area(s) for the storage of refuse, solid waste and recycling, shall be fully screened from view and integrated into the architectural design.

#### 28-312.4.10 Restaurant Seating

(A) Seating in restaurants shall be regulated as follows:

- a. Indoor seating shall be limited to 1 seat per 15 square feet (net)
- b. Outdoor seating shall be limited to 100% of Total Indoor Seating and must be specified on site plans submitted for approval so that such areas are appropriately considered for calculation of such things as number of required parking spaces, the kitchen size and the restroom fixture counts.

### **28-312.5 SIGNAGE STANDARDS**

#### 28-312.5.1 Premise Identification

(A) Address-suite numbers, shall be installed on building and dwelling walls in a position to be plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background.

- a. Address numbers shall be Arabic numerals or alphabet letters.
- b. Numbers-letter shall be a minimum of 3 inches high with a minimum stroke width of 0.5 inch.
- c. Rear entrance identification shall be provided on all non-residential structures.

#### 28-312.5.2 Façade Signage

(A) Building Wall, Projecting and Suspended Signs shall have the following features



- 1 a. Signage area shall not exceed one (1) square foot of sign area for each lineal  
2 foot of building frontage of the front facade.  
3  
4 b. For a building facing more than one street, an additional one (1) square foot  
5 of sign area shall be permitted for every lineal foot of building frontage on  
6 the side street(s).  
7  
8 c. Numbers-Letter shall be a minimum of 6 inches high with a minimum  
9 stroke width of 1.25 inch.  
10  
11 d. Signs shall not project more than thirty inches (30") from the building  
12 façade surface.  
13  
14 e. Shall have molded perimeter frames plus carved and or raised letters for a  
15 minimum of 50% of the numbers, letters and or symbols on the signage.  
16  
17 f. All lit on-site signs shall be illuminated indirectly by external fixtures with  
18 steady, stationary, shielded light sources directed solely onto the sign  
19 without causing glare. Light bulb, strips or tubes used for illuminating a sign  
20 shall not be visible from adjacent public rights-of-way or residential  
21 properties.  
22  
23 g. Signage shall consider the visibility and approach to the site from both the  
24 vehicular and pedestrian experience.  
25

#### 26 28-312.5.3 Site Signage

- 27  
28 (A) Monument Sign shall be low freestanding signage, not exceeding fifty (50)  
29 square feet (per side) in area. The top shall not be more than five (5) feet in  
30 height. Signs shall be placed on a continuous base.  
31  
32 (B) One sidewalk sign shall be permitted for each tenant. Such sign shall be  
33 located in front of the business being advertised, must provide six (6) feet of  
34 unobstructed sidewalk, and shall be removed from the sidewalk daily at (or  
35 before) the close of business.  
36

#### 37 28-312.5.4 Prohibited Signage

- 38  
39 (A) Signage, not listed above are prohibited.  
40  
41 (B) No alcohol sales licensee may display any advertisement or sign on the  
42 outside façade of the licensed premises upon which appears any brand name  
43 of an alcoholic beverage product.

1  
2 (C) Animated or flashing signs.  
3  
4  
5  
6  
7

8 **28-312.6 OPERATING STANDARDS**  
9

- 10 (A) Storefront Windows for all commercial uses shall not be obstructed, contain  
11 signage and or lighting projecting toward the public way and shall allow natural  
12 light into the interior spaces. These storefront windows shall be used for display  
13 and or connection between the commercial use and the public way.  
14 (B) All outdoor music conducted on private property shall end no later than 10:00 p.m.  
15  
16

---

<sup>1</sup> Definitions:

**Story** – That part of a building between the surface of a floor and the ceiling immediately above.

**Half-story** – An uppermost story usually including dormer windows, in which a sloping roof replaces the upper part of the front wall, provided that the minimum slope of such roof is four units vertical to 12 units horizontal.